

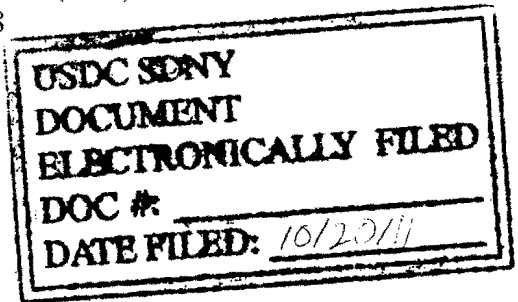
**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE METHYL TERTIARY BUTYL ETHER  
("MTBE) PRODUCTS LIABILITY  
LITIGATION**

This document relates to:

*New Jersey Department of Environmental  
Protection, et al. v. Atlantic Richfield Co., et al.,  
No. 08 Civ. 00312*

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88



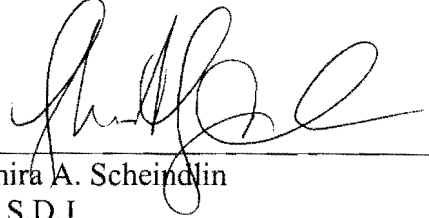
**SHIRA A. SCHEINDLIN, U.S.D.J.**

**[PROPOSED] CASE MANAGEMENT ORDER NO.**

1. By motion dated September 9, 2011, Defendants sought an order setting a schedule for Plaintiffs to complete the production of electronically stored information and produce certain outstanding privilege logs;
2. The parties having "met and conferred" have agreed to a schedule that resolves the issues raised in Defendants' motion and have submitted a proposed schedule for the Court's consideration;
3. Upon the Court's review of the proposed submission, IT IS HEREBY ORDERED that:
  - Plaintiffs shall produce privilege logs for all hard copy document and ESI productions made prior to November 1, 2011 on a rolling basis, to be completed by no later than December 1, 2011;
  - Plaintiffs' production of Electronically Stored Information ("ESI") – including both emails and "electronic loose files" – for individuals related to the Trial Sites shall be completed by October 31, 2011;
  - Plaintiffs shall complete their production of all other ESI by February 15, 2012;
  - Defendants may notice up to 20 depositions of NJDEP employees for dates between November 1, 2011 and January 31, 2012. Defendants may notice up to eighty (80) depositions of NJDEP employees for dates between February 1, 2012 and November 16, 2012. Depositions noticed prior to the date of this Order shall not be counted against these limits. Further, depositions that are required to be reopened, if any, shall not be counted against these limits; and

- ~~Fact discovery shall conclude on November 16, 2012.~~

SO ORDERED



Shira A. Scheindlin  
U.S.D.J.

DATED: New York, New York  
October 2, 2011